

SEP 26 2006

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Facsimile 954-522-9123****FACSIMILE TRANSMISSION COVER SHEET****PLEASE DELIVER TO:**

NAME: Examiner Pia F. Tibbits/Art Unit 2838

FAX TELEPHONE NO. 571.273.8300

MESSAGE SENT BY: Daniel C. Crilly, Esq.

DATE: September 26, 2006

PAGES: (including cover).....23

MESSAGE: Please see attached Transmittal Form (1 page); Amendment under 37 C.F.R. § 1.116 (20 pages) and an Applicant Initiated Interview Request form (1 page) in connection with U.S. Appl. Serial No. 10/604,703. Thank you.

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Chriselide Mendez

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SEP 26 2006

PTO/SB/21 (09-04)

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TRANSMITTAL FORM	Application Number	10/604,703	
	Filing Date	August 11, 2003	
	First Named Inventor	David Elder	
	Art Unit	2838	
	Examiner Name	Pia F. Tibbitts	
(to be used for all correspondence after initial filing)		Attorney Docket Number	013476-05187
Total Number of Pages in This Submission		23	


ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Applicant Initiated Interview Request form (1 page)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BRINKLEY, MORGAN, SOLOMON, TATUM, STANLEY, LUNNY & CROSBY, LLP		
Signature			
Printed Name	DANIEL C. CRILLY		
Date	September 26, 2006	Reg. No.	38,417

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Signature			
Typed or printed name	Chriselide Mendez	Date	September 26, 2006

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PTOL-413A (09-08)
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Applicant Initiated Interview Request Form				RECEIVED CENTRAL FAX CENTER	
Application No.: <u>10/604,703</u>		First Named Applicant: <u>David Elder</u>			
Examiner: <u>Tibbitts</u>		Art Unit: <u>2838</u> Status of Application: <u>Finally Rejected</u>			
Tentative Participants:					
(1) <u>David Elder</u>		(2) <u>Daniel Crilly</u>		(5) <u>Examiner Easthorn</u>	
(3) <u>William Weiss</u>		(4) <u>Examiner Tibbitts</u>			
Proposed Date of Interview: <u>Oct. 16, 2006</u>		Proposed Time: <u>10:00</u> (AM/PM)			
Type of Interview Requested:					
(1) <input type="checkbox"/> Telephonic (2) <input checked="" type="checkbox"/> Personal (3) <input type="checkbox"/> Video Conference					
Exhibit To Be Shown or Demonstrated: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
If yes, provide brief description: <u>Working prototype of invention</u>					
Issues To Be Discussed					
Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>88,104,105</u>	<u>Exile Swivel Brochure</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>88,104,105</u>	<u>Rodriguez</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej.</u>	<u>88,104,105</u>	<u>Leppo</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					
Brief Description of Arguments to be Presented:					
<u>Cited references do not disclose or suggest all</u>					
<u>elements recited in the claims</u>					
An interview was conducted on the above-identified application on _____.					
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).					
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.					
<u>David C. Crilly</u> Applicant/Applicant's Representative Signature			_____ Examiner/SPE Signature		
<u>Daniel C. Crilly</u> Typed/Printed Name of Applicant or Representative					
<u>38,417</u> Registration Number, if applicable					

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